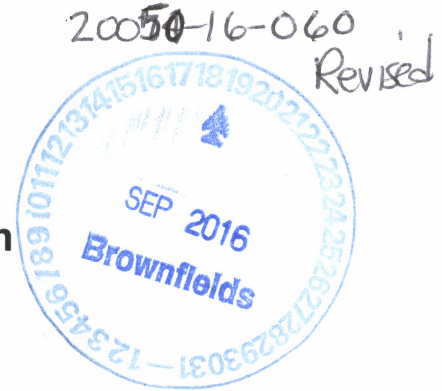


Brownfields Property Application

North Carolina Brownfields Program

www.ncbrownfields.org



I. PROSPECTIVE DEVELOPER (PD) INFORMATION {USE TAB KEY TO GET TO NEXT DATA ENTRY LINE – DO NOT USE THE RETURN KEY}

A. PD information:

Entity name NewCAMP Landowner, LP ("NewCAMP")
((NewCAMP Landowner, LP is an affiliate of ATCO Properties & Management ("ATCO"), a Manhattan-based commercial real estate owner, developer and investor.))

Principal Officer Neil Adamson - Sr Vice President - Finance and Acquisitions

Representative Neil Adamson

Mailing Address 555 Fifth Avenue - 16th Floor
New York, NY 10017

E-mail address Neil@atco555.com

Phone No. 718.326.3560 x 233

Fax No. 718.326.0374

Web site <http://www.atco555.com/companies-atco-investment-management.php>

B. PD contact person information (i.e., individual who will serve as the NCBP's point of contact if different than above):

Name Matt Ingalls

Company Hart & Hickman, PC

Mailing Address 2923 S. Tryon Street #100
Charlotte, NC 28203

E-Mail Address mingalls@harthickman.com

Phone No. 704.887.4617

Fax No. 704.586.0373

C. Information regarding all parent companies, subsidiaries or other affiliates of PD (attach separate sheet(s) if necessary):

(Use for LLCs)

Member-managed or manager-managed? **Answer:**

If manager-managed, provide name of manager and percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

For all LLCs, list all members of the LLC and provide their percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Managers of manager-managed LLCs are required to execute all brownfield documents for the LLC; as to member-managed LLCs, state name of member who will sign these documents.

List all parent companies, subsidiaries and other affiliates:

(Use for Partnerships)

Check one: ☐ General Partnership ☒ Limited Partnership

List all partners and percent of ownership:

Name	NewCAMP Landowner, LP c/o Neil Adamson (ATCO)
Ownership (%)	100
Mailing Address	555 Fifth Avenue - 16th Floor New York, NY 10017
E-Mail Address	Neil@atco555.com
Phone No.	718.326.3560 x 233
Fax No.	718.326.0374

Is this person a general or limited partner? LP

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Is this person a general or limited partner?

List all parent companies, subsidiaries and other affiliates:

(Use for corporations other than LLCs)

(If information is the same as shown in 1.A., please indicate "same as 1.A." below.)

Name

Mailing Address

E-Mail Address

Phone No.

Fax No.

List all parent companies, subsidiaries and other affiliates:

(Use for individuals)

(If individual is the same as shown in 1.A., -please indicate "same as 1.A." above.)

Name

Mailing Address

E-Mail Address

Phone No.

Fax No.

- D. Does PD have or can it obtain the financial means to fully implement a brownfields agreement and assure the safe reuse of the property? *(Attach supporting documentation such as letters of credit, financial statements, etc.)*

Answer Yes

Explanation NewCAMP is a majority-owned affiliate of ATCO Properties & Management, a Manhattan-based real estate investment, development and ownership firm. ATCO is deploying capital in select cities across the United States, with a particular emphasis on value-add opportunities. ATCO is currently deploying capital through a joint venture program with family offices and other private capital, focused on urban office and retail properties. Target markets include the Central Business Districts of Austin, Nashville, Charlotte, and

Raleigh-Durham-Chapel Hill, and the metro New York area. For over eight decades, NewCAMP (ATCO) has owned, managed, and developed a diverse real estate portfolio, primarily in and around New York City, and provided a range of services to other real estate owners. The company is in its fourth generation of family ownership, and NewCAMP (ATCO) presently owns and manages more than 20 buildings ranging from high-rise office and residential towers to retail properties, from one-story industrial structures to high tech flex buildings. The portfolio of New York City properties includes: 555 Fifth Avenue, 40 Central Park South, 41 West 58th Street, 630 Third Avenue, 381 and 373 Park Avenue South, 515 Madison Avenue and the Atlas Terminals. Nationally, the company owns properties in Austin, Texas; Chapel Hill, North Carolina; Indianapolis, Indiana; Darien, Stamford and Westport, Connecticut; Baltimore, Maryland; and Orlando, Florida. Internationally, NewCAMP (ATCO) has investments in seven European countries.

NewCAMP (ATCO) is under contract to purchase the Rite Aid site and recently completed the purchase of the Graham Street site.

- E. Does PD have or can it obtain the managerial means to fully implement a brownfields agreement and assure the safe use of the property?

Answer Yes

Explanation NewCAMP (ATCO) has a strong background in managing and financing real estate development and construction projects. In addition, NewCAMP has retained the services of Hart & Hickman, PC (H&H) who is experienced in Brownfields redevelopment and implementation of Brownfields requirements. Collectively, NewCAMP and H&H have significant experience with redevelopment of challenged properties, and we are aware of the requirements and restrictions that are typically included in the Brownfields Agreement to ensure successful implementation of a Brownfields Agreement and safe use of the property.

- F. Does PD have or can it obtain the technical means to fully implement a brownfields agreement and assure the safe use of the property?

Answer Yes

Explanation NewCAMP has a wide range of engineering and environmental experience available to it. NewCAMP has also retained H&H (a NC Licensed Environmental Engineering Firm) who has extensive experience in environmental matters in Brownfields assessment and implementation of Brownfields agreements.

G. Does PD commit that it will comply (and has complied, if PD has had a prior project in the NCBP) with all applicable procedural requirements of the NCBP, including prompt payment of all statutorily required fees?

Answer Yes

(List all NCBP project name(s) and NCBP project ID numbers where PD or any parent company, subsidiary and other affiliate of PD has been a party to.)

H. Does PD currently own the property?

Answer No, and Yes. The subject property is currently owned by the following entities:

- 1) Parcel # 07903105 ("Rite Aid site") is owned by Eckerd of North Carolina, Inc.
- 2) Parcel # 07903102 ("Rite Aid site") is owned by Eckerd of North Carolina, Inc. as successor to Bancroft Realty Company
- 3) Parcel # 07903103 ("Graham Street") is owned by PD, NewCAMP Landowner, LP

If yes, when did PD purchase the property and from whom? *(Provide name, address, telephone number and email address of the contact person for the current property owner.)*

PD, NewCAMP Landowner, LP, purchased Parcel # 07903103 from MV Graham I, LLC on August 19, 2016.

Contact Info:
NewCAMP Landowner, LP
c/o Neil Adamson
555 5th Ave - 16th Floor
New York, NY 10017
phone: (718) 326-3560 x233
email: neil@atco555.com

If no, provide the name, address, telephone number and e-mail address of the contact person for the current property owner

Joseph Notarianni, Jr. (VP Real Estate Law - Rite Aid Corporation) represents the property owners (Eckerd of North Carolina, Inc. and Bancroft Realty)

Contact Info:
Rite Aid Corporation
Attn: Joseph Notarianni, Jr.
30 Hunter Lane
Camp Hill, PA 17011
phone # (717) 972-3998
email: jnotarianni@riteaid.com

I. If PD does not currently own the property, does PD have the property under contract to

purchase?

Answer Yes

If yes, provide date of contract. March 17, 2016

If no, when does the PD intend to purchase the property (e.g., after the project is determined to be eligible for participation in the NCBP, after PD receives a draft BFA, after the conclusion of the brownfields process)?

- J. Describe all activities that have taken place on the property since PD or PD's parents, subsidiaries and/or other affiliates, and/or lessees or sublessees of PD, took ownership of or operated at the property (e.g., industrial, manufacturing or commercial activities, etc.). *(Include a list of all regulated substances as defined at NCGS § 130A-310.31(b)(11) that have been used, stored on, or otherwise present at the property while those activities were conducted, and explain how they were used.)*

ATCO has directed H&H to conduct certain environmental due diligence activities including conducting Phase I and II ESA activities on two of the parcels (07903102 and 07903105) that comprise the former Rite Aid portion of the subject site. GTA Associates was also recently contracted by ATCO to conduct geotechnical activities on the Rite Aid portion of the site. The Graham Street site was last assessed by H&H in September 2009.

II. SITE INFORMATION

A. Information regarding the proposed brownfields property:

Proposed project name NewCAMP (former Charlotte Army Missile Plant)

acreage 47.87 County Mecklenburg

street address(es) 1776 Statesville Avenue and 1701-1795 N. Graham Street

city Charlotte zip 28206

tax ID(s) or PIN(s) Rite Aid Parcel #s 07903102 and 07903105; Graham Street Parcel # 07903103

past use(s) The Rite Aid portion of the site was developed for industrial use in 1924 and was initially used for the manufacture of Model T Fords until approximately the 1930s. The Rite Aid property, the Hercules Industrial property to the north (currently a Brownfields site), and the Graham Street property to the east were used by the United States Government as a storage depot from the early-1940s to the mid-1950s and then for the production of Hercules missiles from the mid-1950s to the late-1960s. The missile production

facility was known as the Charlotte Army Missile Plant (CAMP). The CAMP facility included six buildings (Buildings 1, 2, 3, 48, 50, and the Boiler House) located on the Rite Aid property. Activities conducted at the missile facility included metal working, plating, degreasing, painting, assembly, wastewater treatment, assembly, and shipping of missiles. On the Rite Aid property, Building 1 was utilized for die casting, metal plating, and cleaning. Building 2 was utilized as a machine shop and process plant. Building 3 was utilized for storage and offices. Building 48 housed emergency response vehicles and was utilized for automotive maintenance activities. Building 50 housed chemical storage and solvent receiving and distribution.

The Graham Street portion of the site was used for storage by the US Army beginning in the 1940s. From the 1950s to the late 1960s, the property was part of the CAMP which manufactured missile components for the Department of Defense.

current use(s) Since the late 1960s, the Rite Aid property has been used by Eckerd/Rite Aid for warehousing and distribution of commercial/retail items. Rite Aid is currently in the process of vacating the site.

Since the 1960s, the Graham Street property was occupied by Greif Bros. Corporation (a manufacturer of corrugated paper containers), for storage by various entities including Pax Industries (shipping/transportation), and by a wood pallet manufacturer.

cause(s)/source(s) of contamination:

known

Rite Aid Site (1776 Statesville Avenue)

H&H recently completed Phase I and II ESA activities at the Rite Aid (former CAMP) site and identified the following Recognized Environmental Conditions (RECs), suspected RECs, and Historical REC (HREC) associated with the property. Note, the summary below references Eckerd Building # designations and not those used by the US Army Corps of Engineers (COE).

- **REC #1 Chlorinated Solvent Impacts in Groundwater** – The COE has conducted extensive soil and groundwater assessment activities at the site as part of Formerly Used Defense Sites (FUDS) Program. Based on assessment activities conducted to date, the COE has determined that groundwater contamination from the chlorinated solvent trichloroethene (TCE) and its degradation products originated from historical governmental operations conducted at the site. The primary source area for groundwater impacts has been determined to originate near the eastern end of Building 2 where electroplating and degreasing operations were conducted. In the most recent sampling event conducted by the COE in 2012, TCE was detected in groundwater at concentrations as high as 14,000 µg/l from a sample collected in a monitoring well located on the east side of Building 2. Groundwater flow from the Rite Aid site is to the north-northwest and toward the adjacent Hercules Industrial Park property (currently a Brownfields site). There are also sources of groundwater impacts on the adjacent Hercules property including a former process pit in CAMP Building 2 and a former wastewater treatment plant east of CAMP Building 2.

The results of the COE investigations indicate no complete exposure pathways for surface or subsurface soil at the CAMP site (a complete exposure pathway is one in which there is a reasonable potential that human or environmental receptors could be exposed to compounds at levels of concern). As such, the COE determined that no soil remediation is warranted at

the CAMP site. However, please note that no soil samples have been collected by the COE from below the Rite Aid buildings for analysis. Therefore, it is possible that soil impacts are present below the site buildings that have not been assessed. The COE also evaluated potential vapor intrusion into buildings from underlying impacted ground water. The results of the COE evaluation indicated that vapor intrusion was not a concern for current use of the site buildings for commercial/industrial purposes. No complete exposure pathways were identified for impacted ground water; however, ground water impacts do exceed North Carolina groundwater standards. Thus, the COE evaluated groundwater remediation alternatives in a Feasibility Study (FS) prepared in 2004. As a result of the FS, the COE initially chose to actively remediate groundwater at the CAMP site using a technique called in-situ chemical oxidation. In this process, chemical oxidants are injected into the ground which chemically destroy the compounds to harmless by-products.

In 2005 and 2006, the COE conducted a pilot test of the planned chemical oxidation to determine the effectiveness of the remediation technique and to select design parameters for full scale implementation. The results of the pilot test indicated that the chemical oxidation was generally successful and effective in reducing compound concentrations in groundwater. The COE recently performed a revised evaluation of remedial alternatives and indicated that they planned to modify the remedial alternative for the groundwater impacts to monitored natural attenuation. The COE is in the process of addressing DEQ and Stakeholder comments associated with the revised remedial approach.

H&H is currently conducting Phase I and II ESA activities at the site on behalf of NewCAMP and has identified the TCE impacts in groundwater above NC 2L groundwater standards to be a REC.

- REC #2 Former Electroplating and Degreasing Pits in Buildings 1 and 2 – Historical plating and degreasing activities have occurred in Buildings 1 and 2. During a 2005 sampling event, Hoffman Engineering Inc. (Hoffman) collected shallow soil samples below the concrete floor in the western portion of Building 1 and detected hexavalent chromium (7,949 mg/kg) and total chromium (80,000 mg/kg) at concentrations above the DEQ IHSB industrial preliminary soil remediation goals (PSRGs). TCLP Cr results (780 mg/L) above the EPA Maximum Concentration of Contaminants for Toxicity Characteristics of 5 mg/L. H&H is currently conducting Phase I and II ESA activities at the site on behalf of ATCO and has identified the soil impacts of chromium associated with the former electroplating and degreasing pits to be a REC.
- REC #3 Soil Impacts (West of Building 1) – On March 24, 2016, H&H advanced a soil boring (SB-8) west of the former electroplating pit in Building 1 and in a grassy area outside of the building. The soil boring was advanced to an approximate depth of 10 ft below the ground surface (bgs) where field screening detected elevated Photo-Ionization Detector (PID) readings of 367 ppm and evidence of petroleum staining. Analytical results reported SVOC impacts at concentrations above IHSB residential and Protection of Groundwater (POG) Preliminary Soil Remediation Goals (PSRGs) in a soil sample submitted for laboratory analysis. The source of the petroleum-impacted soil at this location is unknown. H&H is currently conducting Phase I and II ESA activities at the site on behalf of NewCAMP and has identified petroleum-impacted soil discovered west of Building 1 at concentrations above residential and POG PSRGs to be a REC.
- REC #4 Automotive Service Area – During recent Phase I ESA activities, H&H identified a former in-ground hydraulic lift and oil-changing pit located in Building 48 that were depicted on an original construction drawing provided by Rite Aid. The in-ground lift and the

oil-changing pit are abandoned. H&H is currently conducting Phase I and II ESA activities at the site on behalf of NewCAMP and has identified the potential for a release associated with the former in-ground hydraulic lift and the oil-changing pit located in Building 48 to be a potential REC.

- REC #5 Former UST Basin West of Building 48– During recent Phase I ESA activities, H&H discovered eight abandoned underground storage tanks (UST) utilizing ground penetrating radar (GPR) survey techniques within a tank basin located west of Building 48. Fill ports/vent pipes are not visible on the ground surface above the USTs. The USTs are thought to have previously contained fuel oil utilized in a nearby former boiler room. H&H is currently conducting Phase I and II ESA activities at the site on behalf of NewCAMP and has identified suspected petroleum-impacted soil during recent field screening activities. Therefore, H&H considers suspected impacts associated with the eight abandoned USTs identified adjacent to Building 48 to be a REC.

- REC #6 Wood Block Flooring– The floor of Building 2 was constructed with creosote treated wood blocks above a concrete slab to presumably minimize static build-up during missile manufacturing operations. The wooden blocks are approximately 2-inches thick and cover a majority of the Building 2 manufacturing area. Given the known manufacturing, electroplating, and degreasing operations that occurred within the manufacturing area, it is likely that historical releases of chemicals containing heavy metals and chlorinated solvents has occurred to the wooden floor. H&H is currently conducting Phase I and II ESA activities at the site on behalf of NewCAMP and has identified the creosote treated wood floor to be a potential REC.

H&H identified the following historical recognized environmental concerns (HRECs) in connection with the site which, based upon our evaluation, we do not consider to be RECs:

- HREC #1 Former USTs– 17 former petroleum USTs associated with Buildings 1, 2, 3, 48, 50, and the boiler house (not including USTs noted in REC #3) were previously removed from the site in 1990, 1998, and 2004. There are two separate release incidents associated with the USTs. Incident No. 7617 was reported in 1990 and is associated with 12 USTs that contained heating oil, gasoline, or diesel fuel. Further assessment of the USTs occurred in 2005 and the release incident was closed by DEQ in April 2011. Incident No. 20520 is associated with a former heating oil UST release that was reported in 1998. The release incident was closed by DEQ in September 1999. Soil and groundwater impacts were identified above NC DEQ Action Levels and NC 2L Standards but were determined not to pose an unacceptable or potentially unacceptable risk to human health or the environment. NC DEQ issued a Notice of No Further Action (NFA) for the releases in April 2011 and September 1999. Four additional USTs that contained gasoline and diesel fuel were removed by the COE in 1990. Soil impacts were identified and COE addressed petroleum impacted soil associated with these USTs under the FUDS Program. Based on the regulatory closures and management of USTs under the FUDS program, H&H has identified the former USTs and associated residual petroleum impacts as an HREC.

Graham Street Site (1701-1705 N. Graham Street)

- H&H completed Phase II ESA sampling activities at the Graham Street property in September 2009 to assess former pits and a floor drain located in the northern portion of the 1701-1705 Graham St. building. As noted previously, the property was part of the CAMP which manufactured missile components for the Department of Defense from the 1950s to the late 1960s. The results of the Phase II ESA soil and ground water sample analyses do not

indicate any significant soil or ground water impacts in the identified potential areas of concern in the northern part of the building. As such, there is no evidence of significant impact from historical site activities in this area of the site.

- One 10,000-fuel oil UST was formerly located adjacent to the southeast side of the site warehouse building that was owned by Greif Bros. Corporation. The UST was installed at the site on April 26, 1978 and was removed on January 12, 1978. Results of a Phase II ESA indicated the presence of soil impacts in the basin where a former fuel oil UST was located at the site. Based on the results of the Phase II ESA, H&H performed Phase I LSA and Initial Abatement Action activities. Results of the Phase I LSA indicated the presence of compounds in soil in one soil boring in the former UST basin that exceeded residential and soil to ground water MSCCs. No compound concentrations exceeded commercial/industrial MSCCs. Results of the Phase I LSA ground water sampling indicated that no compounds were detected in ground water below the former UST basin. The results of the LSA receptor survey indicated no receptors in the area of the site and that the site and surrounding area are zoned for industrial and commercial purposes. However, it is possible that future redevelopment of the site could include residences. Because compound concentrations in the former UST basin exceeded residential MSCCs, H&H conducted an Initial Abatement Action. During the abatement action, approximately 53 tons of petroleum impacted soil were removed from the area of the former UST basin. Results of analysis of post-excavation samples indicated no compound concentrations above MSCCs. Based upon the results of the post-excavation soil sample data, impacted soil in the area of the former fuel oil UST has been adequately removed.

suspected

- B. Regulatory Agency Involvement: List the site names and all identifying numbers (ID No.) previously or currently assigned by any federal, state or local environmental regulatory agencies for the property. The ID No's may include [CERCLIS numbers](#), RCRA generator numbers for past and present operations, [UST database](#), [Division of Water Quality's incident management database](#), and/or [Inactive Hazardous Sites Branch inventory numbers](#). *(In many instances, the PD will need to actively seek out this information by reading environmental site assessment reports, reviewing government files, contacting government officials, and through the use of government databases, many of which may be available over the internet.)*

Agency Name/ID No: [US Brownfields - City of Charlotte Assessment Grant; Agreement #95462010/Property ID #135084; Newcamp Former CAMP](#)

Agency Name/ID No: [DEQ LUST - Recovered Government Archives - Facility ID #s 0-013231, 20520, and 7617; Eckerd Charlotte Distribution](#)

Agency Name/ID No: [EPA RCRA SQG EPA ID #NCD986177608; Rite Aid Distribution](#)

Agency Name/ID No: [EPA FINDS #s 110054366155 and 110004041377](#)

Agency Name/ID No: [EPA FUDS Site #104NC04585](#)

Agency Name/ID No: [DEQ LUST Facility ID# 36726](#)

- C. In what way(s) is the property is abandoned, idled, or underused?

Rite Aid is currently vacating the facility and the property will thus be under utilized. The site is located within an economically challenged area north of uptown Charlotte, NC. A tenant and/or property owner will provide a significant public benefit to the surrounding community.

The Graham Street building has been utilized for storage and has most recently been occupied by a manufacturer wooden pallets.

- D. In what way(s) is the actual or possible contamination at the property a hindrance to development or redevelopment of the property (attach any supporting documentation such as letters from lending institutions)?

The presence of soil and groundwater contamination identified during previous assessment activities conducted on the property is a hindrance to future development. NewCAMP and subsequent potential tenants or buyers would be unlikely to invest in the redevelopment of the property without a Brownfields Agreement because of the potential liability issues and challenges as the result of the contamination. NewCAMP is currently under contract to purchase the property and intends to offer it for reuse and potential redevelopment. However, before doing so, it needs to ensure that the property will be accepted into the Brownfields Program and that future owners and occupants will have the protections and benefits afforded by a Brownfields Agreement.

- E. In what way(s) is the redevelopment of the property difficult or impossible without a brownfields agreement (attach any supporting documentation such as letters form lending institutions)?

NewCAMP believes that a Brownfields Agreement will be essential for the viable and safe reuse of the property. NewCAMP's development strategy includes obtaining a Brownfields Agreement as a component of purchase and it is unlikely that the property would be purchased and then redeveloped without a Brownfields agreement.

- F. What are the planned use(s) of the redeveloped brownfields property to which the PD will commit? Be as specific as specific as possible.

The site is zoned for industrial use and is located near the intersection of Statesville Road and N. Graham Street and adjacent to a rail station on the proposed Charlotte Area Transit System (CATS) Red Line rail line. Future use will consist of mixed-use, transit-oriented development.

- G. Current tax value of brownfields property: \$10,533,700 (Parcels 07903102 and 07903102) and \$2,574,000 (Parcel 07903103)

- H. Estimated capital investment in redevelopment project: \$Unknown at this time

- I. List and describe the public benefits that will result from the property's redevelopment. Be as specific as possible. *(Examples of public benefits for brownfields projects include job creation, tax base increases, revitalization of blighted areas, preserved green space, preserved historic places, improving disadvantaged neighborhood quality-of-life related retail shopping opportunities, affordable housing, environmental cleanup activities or set asides that have*

community or environmental benefits. In gauging public benefit, NCBP places great value upon letters of support from community groups and local government that describe anticipated improvements in quality of life for neighboring communities that the project will bring about. The inclusion of such support letters with this application is recommended and encouraged.)

The site is zoned for industrial use and is located near the intersection of Statesville Road and N. Graham Street. The site is also located adjacent to a rail station on the proposed Charlotte Area Transit System (CATS) Red Line rail line. The redevelopment of the property in this area will likely:

- 1) maintain and increase the tax base, including both an increase in property tax and taxes associated with additional commercial tenants and increased economic activity;
- 2) create numerous construction jobs and permanent jobs associated with management, leasing, and retail uses;
- 3) provide positive social impact to the surrounding businesses and recreational communities;
- 4) provide positive economic impact to the surrounding community and businesses;
- 5) potentially spur additional development in the area resulting in a larger local tax base; and
- 6) invest in "Smart Growth" through use of land in an already developed urban area which avoids development outside the City limits and increases potential commuters utilizing public transportation including the proposed CATS Red Line rail line.

Special Note: Please describe all environment-friendly technologies and designs PD plans to utilize in its redevelopment strategy. For example, environment friendly redevelopment plans could include: Leadership in Energy and Environmental Design (LEED) Certification, green building materials; green landscaping techniques such as using drought resistant plants; energy efficient designs, materials, appliances, machinery, etc.; renewable sources of energy, and/or recycling/reuse of old building materials such as brick or wood.

NewCAMP intends to consider a variety of environmentally friendly development techniques and project enhancements as part of their development effort. As the plans for development are preliminary, no firm decisions have been made at this time.

- J. Who will own the brownfields property when the Notice of Brownfields Property is filed with the register of deeds at the conclusion of the brownfields process? (If information is the same as 1.A. above, please indicate.)

Name NewCAMP anticipates that either it, or a to-be-formed, wholly-owned single-purpose entity will own the property at the conclusion of the Brownfields process, but it has not made a final decision at this time.

Mailing Address

E-Mail Address

Phone No.

Fax No.

III. OTHER REQUIRED INFORMATION

A. Brownfields Affidavit: PD must provide its certification, in the form of a signed and notarized original of the unmodified model brownfields affidavit provided by NCBP, that it did not cause or contribute to contamination at the property and that it meets all other statutory eligibility requirements. *(Note: The form to use for this affidavit is attached to this application. An original hard copy of this affidavit must be filled out, signed, notarized and submitted with this application.)*

Is the required affidavit, as described above, included with this application?

Answer Yes, please see Appendix A.

B. Proposed Brownfields Agreement Form: PD must provide the completed form Proposed Brownfields Agreement. *(Note: The form to use for this document is attached to this application. It must be filled out, initialed, and attached on your submittal.)*

Is the required Proposed Brownfields Agreement, as described above, included with this application?

Answer Yes, please see Appendix B.

C. Location Map: PD must provide a copy of the relevant portion of the 1:24,000 scale U.S.G.S. topographic quadrangle map that shows the location of the property, clearly plotted, and that measures at least an 8 ½ by 11 inches. *(Note: these maps can be purchased through the above link, or often through retail outdoor recreation stores that can print out the relevant map. Often environmental reports have location maps that use this type of map format as the base for its location map.)*

Is the required location map included with this application?

Answer Yes, please see Appendix C.

D. Survey Plat: PD must provide a preliminary survey plat of the brownfields property with the property boundaries clearly identified, and a metes and bounds legal description that matches the property description on the plat. At this stage of the brownfields process, one or more existing survey plats from a previous property conveyance will suffice. *(Before the brownfields project enters the public comment phase of the brownfields process, the PD will be required to submit a final brownfields survey plat which includes the information listed in the brownfields survey plat guidance.)*

Is the required preliminary survey plat included with this application?

Answer Yes, please see Survey Plat and Property Deed Legal Description in Exhibit D.

E. Site Photographs: PD must provide at least one pre-redevelopment photograph of the property, in either hard copy or electronic format, that shows existing facilities and structures. **Please note that the NCBP prefers to have electronic photos instead of or in addition to hard copies. Electronic copies of photographs should be emailed to:**

Shirley.Liggins@ncdenr.gov with a clear indication as to which Brownfields Application they apply to.

Are photographs of the property included with this application?

Answer Yes, please see Appendix E.

Have electronic copies of the photographs been emailed to NCBP?

Answer Yes

F. Environmental Reports/Data: If it makes an affirmative eligibility determination, the NCBP will request that PD provide any and all existing environmental reports and data for the property on **CD only**. The brownfields process may be expedited if PD submits such reports/data with this application.

Are any environmental reports/data being submitted with this application?

Answer Yes, please see disc attached to Appendix F.

If environmental reports/data are being submitted with this application, please provide the title, date and author of each item being submitted:

- 1) Feasability Study, November 2008 (COE)
- 2) Chrome Assessment - COE Bldg 5/Eckerd Bldg 2, March 2005 (Hoffman)
- 3) Indoor Air Quality Assessment, March 2009 (AMEC)
- 4) Limited Site Assessment, November 2010 (Hoffman)
- 5) Phase I Executive Summary, June 1993 (Pilko & Assoc.)
- 6) Phase I Remedial Investigation, April 1999 (COE)
- 7) Proposed Plan, September 1999 (COE)
- 8) Revised Final Design Sampling for the CAMP, March 2013 (COE)
- 9) Rite Aid Environmental Summary, May 2015 (H&H)
- 10) Slide Presentation - Environmental Issues at CAMP, circa 2005
- 11) State Groundwater Sampling Report, March 2007 (COE)
- 12) NFA Letter- Incident #7617, April 2011 (DEQ)
- 13) NFA Letter - Incident #20520, September 1999 (DEQ)
- 14) Phase II ESA - 1701 N. Graham St - September 2009 (H&H)
- 15) Initial Abatement Action and Phase I LSA - 1701 N. Graham St - Sept. 2009 (H&H)
- 16) NFA Letter - 1701 N. Graham St - Sept 2009 (DEQ)

IV. ADDITIONAL REQUIRED FORMS

The following forms are to be filled out and submitted with the application including the Responsibility and Compliance Affidavit and the Proposed Brownfields Agreement. Submittal of the Affidavit requires signature and notarization, and the Proposed Brownfields Application requires an initial.

NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTH CAROLINA BROWNFIELDS PROGRAM

IN THE MATTER OF: NewCAMP Landowner, LP

UNDER THE AUTHORITY OF)	AFFIDAVIT
NORTH CAROLINA GENERAL)	RE: RESPONSIBILITY
STATUTES 3 130A-310.30, et. seq.)	AND COMPLIANCE

NewCAMP Landowner, LP , being duly sworn, hereby deposes and says:

1. I am Neil Adamson of NewCAMP Landowner, LP.
2. I am fully authorized to make the declarations contained herein and to legally bind NewCAMP Landowner, LP.
3. NewCAMP Landowner, LP is applying for a Brownfields Agreement with the North Carolina Department of Environmental Quality, pursuant to N.C.G.S. 3 130A, Article 9, Part 5 (Brownfields Act), in relation to the following 07903105, 07903102, and 07903103 parcel(s) in Charlotte, Mecklenburg, County, North Carolina: located at 1776 Statesville Road and 1701-1705 N. Graham Street
4. I hereby certify, under the pains and penalties of perjury and of the Brownfields Act, that NewCAMP Landowner, LP, and any parent, subsidiary or other affiliate meets the eligibility requirements of N.C.G.S. 3 130A-310.31(b)(10), in that it has a *bona fide*, demonstrable desire to develop or redevelop, and did not cause or contribute to the contamination at, the parcel(s) cited in the preceding paragraph.
5. I hereby certify, under the pains and penalties of perjury and of the Brownfields Act, that NewCAMP Landowner, LP meets the eligibility requirement of N.C.G.S.3130A-310.32(a)(1) in that it and any parent, subsidiary or other affiliate have substantially complied with:
 - a. the terms of any brownfields or similar agreement to which it or any parent, subsidiary or other affiliate has been a party;
 - b. the requirements applicable to any remediation in which it or any parent, subsidiary or other affiliate has previously engaged;
 - c. federal and state laws, regulations and rules for the protection of the environment.

Affiant further saith not.



Neil Adamson

09/15/2016

Signature/Printed Name

Date

Sworn to and subscribed before me this 15th day of September, 2016.

Notary Public


Damon J. Hemmerdinger

(SEAL)

My commission expires: Notary Public State of New York

Qualified in New York County Lic. #02HE6162217

My Commission Expires: 3/5/2019

Preliminary Proposed Brownfields Agreement

I. Property Facts

a. Property Address(es): 1776 Statesville Avenue (parcel #s 07903102, 07903105) and 1701-1705 N Graham Street (parcel #07903103) in Charlotte, Mecklenburg Co., North Carolina

b. Property Seller: Eckerd of North Carolina, Inc. (Parcel #07903105), Bancroft Realty (Parcel #07903102)

c. Property Buyer: NewCAMP Landowner, LP

d. Brief Property Usage History: The Rite Aid portion of the site was developed for industrial use in 1924 and was initially used for the manufacture of Model T Fords until approximately the 1930s. The Rite Aid property, the Hercules Industrial property to the north (currently a Brownfields site), and the Graham Street property to the east were used by the United States Government as a storage depot from the early-1940s to the mid-1950s and then for the production of Hercules missiles from the mid-1950s to the late-1960s. The missile production facility was known as the Charlotte Army Missile Plant (CAMP). Since the late 1960s, the Rite Aid property has been used by Eckerd/Rite Aid for warehousing and distribution of commercial/retail items. Rite Aid is currently in the process of vacating the site.

The Graham Street portion of the site was used for storage by the US Army beginning in the 1940s. From the 1950s to the late 1960s, the property was part of the CAMP which manufactured missile components for the Department of Defense. Since the 1960s, the Graham Street property was occupied by Greif Bros. Corporation (a manufacturer of corrugated paper containers), for storage by various entities including Pax Industries (shipping/transportation), and by a wood pallet manufacturer.

e. The planned reuse will potentially involve the following use classification(s) (check all that apply):

- ☐ School/childcare/senior care
- ☒ Residential
- ☒ Commercial, retail (specify)
- ☐ Other commercial (specify)
- ☒ Office
- ☒ Light industrial
- ☐ Heavy industrial
- ☐ Recreational
- ☒ Open space
- ☐ Other (specify)

II. Contaminant Information

a. The contaminant situation at the property is best described by the following (check all that apply):

- ☒ Contaminants are from an on-property source(s)
- ☐ Contaminants are from an off-property source(s)
- ☐ Contaminants are from an unknown source(s)
- ☐ Contaminants have not yet been documented on the property

b. Contaminated Media Table. (If known, check appropriate boxes below)

Contaminant Types		Soil		Groundwater and/or Surface Water		Private Wells		Vapor Intrusion	
		known	Suspected	known	Suspected	known	suspected	known	suspected
o r g a n i c s	Chlorinated Solvents (list):			TCE PCE					
	Petroleum: ASTs <input type="checkbox"/> USTs <input checked="" type="checkbox"/> Other <input type="checkbox"/>	TPH VOCs SVOCs		BTEX MTBE					
	Other (list):			chorof orm, IPE EDB					
i n o r g a n i c s	Metals (list):	Cr							
	Other (list):								

III. Protective Measures

I am prepared to take steps necessary to make the property suitable for its planned uses while fully protecting public health and the environment. I propose that NCBP consider a brownfields agreement that will make the property suitable for the planned use(s) through the following mechanism(s) (check all that apply):

- ☐ Contaminant remediation to risk-based levels.
- ☒ Engineered Controls (e.g., low permeability caps, vapor mitigation systems, etc)
- ☒ Land use restrictions that run with the land that will restrict or prohibit uses that are unacceptable from a risk assessment/management perspective. (*Important Note: In any*

final brownfields agreement generated by the NCBP, land use restrictions will ultimately come with the continuing obligation to submit an annual certification that the Land Use Restrictions are being complied with and remain recorded at the applicable register of deeds office.)

IV. Fees

In connection with a brownfields agreement, the Act requires that the developer pay fees to offset the cost to the Department of Environmental Quality and the Department of Justice. In satisfaction of the Act, the following fees apply to a brownfields agreement that is developed for this project under the standard program, subject to negotiation of the brownfields agreement:

- a. A \$2,000 initial fee will be due from the applicant PD when **both** of the following occur:
 - 1) NCBP receives this application, the affidavit and proposed brownfields agreement, AND
 - 2) NCBP notifies the applicant in writing that the applicant PD and the project are eligible for participation in the NCBP and continued negotiation of a brownfields agreement.
- b. A second fee of \$6,000 will be due from the PD prior to execution of the brownfields agreement. Should the prospective developer choose to negotiate changes to the agreement that necessitate evaluation by the Department of Justice, additional fees shall apply.
- c. Any addendum/modifications to the BFA or NBP after they are in effect will result in an additional fee of at least \$1,000.
- d. In the unexpected event that the environmental conditions at the property are unusually complex, such that NCBP's costs will clearly exceed the above amounts, NCBP and PD will negotiate additional fees.
- e. Additional fees are charged for the Ready for Reuse and Redevelopment Now programs.

☐ _____ Please check this box and initial in space provided to indicate your acknowledgement of the standard brownfields fee structure.

☒ NA Please check this box and initial in space provided to indicate your interest in the Ready for Reuse or the Redevelopment Now programs, and your acknowledgement of the alternate fee structure as outlined in the Ready for Reuse or the Redevelopment Now Fee Consent Document (under separate cover).

Date of Submittal: September 19, 2016